

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:17-CR-00346-D-1

UNITED STATES OF AMERICA :
 :
 v. :
 :
 BRIAN ALLEN GARDNER :

ORDER OF FORFEITURE

WHEREAS, on May 8, 2018, this Court entered a Preliminary Order of Forfeiture pursuant to the provision of 21 U.S.C. § 853, based upon the defendant's plea agreement whereby the defendant agreed to the forfeiture of the property listed in the November 16, 2017 Criminal Indictment, to wit:

- (1) A .44 caliber Charter Arms pistol, bearing serial number 1032572;
- (2) any and all related ammunition; and
- (3) \$1,724.00 in U.S. Currency.

AND WHEREAS, the Government has advised the Court that it will not continue its efforts to pursue forfeiture as to the \$1,724.00 in U.S. Currency in this criminal forfeiture action;

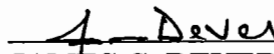
AND WHEREAS, in accordance with Supplemental Rule G(4)(i)(A), the Government is not required to publish notice, as the remaining property to be forfeited is worth less than \$1,000. In addition, as no other potential claimants are known, no direct notice need be provided.

It is HEREBY ORDERED, ADJUDGED and DECREED:

1. That the remaining property, the subject firearm and ammunition listed in the May 8, 2018 Preliminary Order of Forfeiture, are hereby forfeited to the United States. The United States Department of Justice is directed to dispose of the property according to law, including destruction.

2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B).

SO ORDERED this 15 day of January, 2021.



JAMES C. DEVER III
United States District Judge